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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/521,142

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Max Segerljung

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EXAMINER

MCGOWAN, JAMIE LOUISE

ART UNIT

PAPER NUMBER

3671

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

12/29/2006

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/521,142

Applicant(s)

SEGERLJUNG, MAX

Examiner

Jamie L. McGowan

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 13 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No: ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/13/2005</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Specification

2. The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 1-7 and 8-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1-7 and 9-20 reference numbers are relied upon to describe the part being claimed. While reference numbers can be present in the claims, they should not be relied upon to determine what the applicant is claiming. For example, in claim 1 lines 5-7, the applicant states, "where a first (17) of the engagement means is of the male-type having external surfaces converging towards each other and a second (7) of the

Art Unit: 3671

engagement means..." The (7) and (17) are relied upon to figure out what is being claimed.

In claim 1 line 2, "an instrument or tool" is not descriptive as both are a device which is already stated in claim 1 word 1.

Further, regarding claim 1, line 2, the phrase "or such" renders the claim indefinite because it is unclear whether the limitations preceding the phrase are part of the claimed invention.

Regarding claim 1, line 16, "on said other parts" is indefinite as it does not define to which parts are being referred.

Regarding claim 1, lines 9-12, it is unclear to the examiner how the gravitational force would work if both parts were, for example, resting on the ground without the angle of part (17) as described in the specification. It seems that more structure needs to be claimed to correctly describe the way in which the gravitational force acts on the parts of this invention.

Regarding claim 5, line 2, "the part in question" renders the claim indefinite.

These errors should be corrected and the claims should be carefully checked and amended to make all of the claims more definite.

Claim Objections

5. Claims 1, 3, 4 and 16 are objected to because of the following informalities: In claim 1, line 15, "wedge-like element" should be changed to --wedge element--. In claim 3 line 2 and claim 16 line 1, "said means comprises" should be changed to--said

engagement means comprises--. In claim 4 line 4, "dead center means" should be changed to --dead center defining means--. Appropriate correction is required.

6. Claim 17 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 17 is a dependent of claim 16 and is identical to claim 16.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-16 and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Godbersen (5,950,735).

Regarding claim 1, Godbersen discloses a coupling device comprising:

- A device for attaching a working tool to a work machine
- An engagement between the parts utilizing gravity (column 4 lines 20-24)
- The male type engagement means (34) having external surfaces (52,53) converging towards each other (See Fig 4)
- A female type engagement means (36) having internal surfaces (101,102) converging towards each other to receive and hold the male type engagement means (column 4 lines 20-24)

Art Unit: 3671

- Said external converging surfaces substantially in the direction of convergence against said internal converging surfaces into a fixed position in which they fit tightly together (See Fig 4)
- The two parts locked together with a recess (106) in the surface of one part and a wedge element (76) movably arranged on the second part
- A means for inserting the wedge element (76) in the recess (106) so the wedge surfaces are pressed against the recesses walls and locking the wedge element (76) non-movably in the recess (106)
- A resilient means (94) acting on the wedge element (76) to press the wedge element (76) into the recess (106) during pre-loading in the locked position

Regarding claim 2, the wedge element (76) is designed to fit against and influence the internal walls (Fig 16) of the recess in such a direction that the part provided with the recess is pressed with its engagement means having surfaces converging towards each other into an engagement making direction (column 6 line 64 through column 7 line 5). When the plunger reaches the opening (106) it springs through the opening (106) and biases the male part (34) into a locked position with the female part (36).

Regarding claims 3 and 16, engagement means comprises a controllable power means (93) for transferring locking arrangement between an inactive position and an active position with the wedge element (76) pushed into the recess (106) and held during pre-loading (column 5 lines 18-34).

Regarding claim 4, the locking arrangement comprises a dead center defining means (92) connected to the wedge element (76), and the power means (93) are designed to influence said dead center (92) defining means to transfer the wedge element (76) from an inactive position to an active position located on the opposite side

Art Unit: 3671

of a dead center, in which the resilient member is solely responsible for holding the wedge element (76) in the recess (106).

Regarding claim 5, the recess (106) is a through hole (See Fig 16).

Regarding claim 6, the wedge element (76) is on the male part (34) and the recess (106) is on the female part (36).

Regarding claims 7 and 18-20, the first engagement means on the male part (34) has an external, substantially planar, large surface part (planar surface edges of parts 63,64, and 66) arranged to fit against an internal substantially planar large surface part (105) on the second engagement means of the female part (36).

Regarding claim 8, the large planar surface part on the male part (34) is arranged to be directed substantially opposite to the direction for nearing the female part (36) to the male part (34) for attachment.

Regarding claim 9, the female part (36) has two opposing walls (101,102) that converge towards each other, which laterally restrict a channel directed substantially vertically in the normal position of the male part (34) when attached to the female part (36) and form said converging internal surfaces.

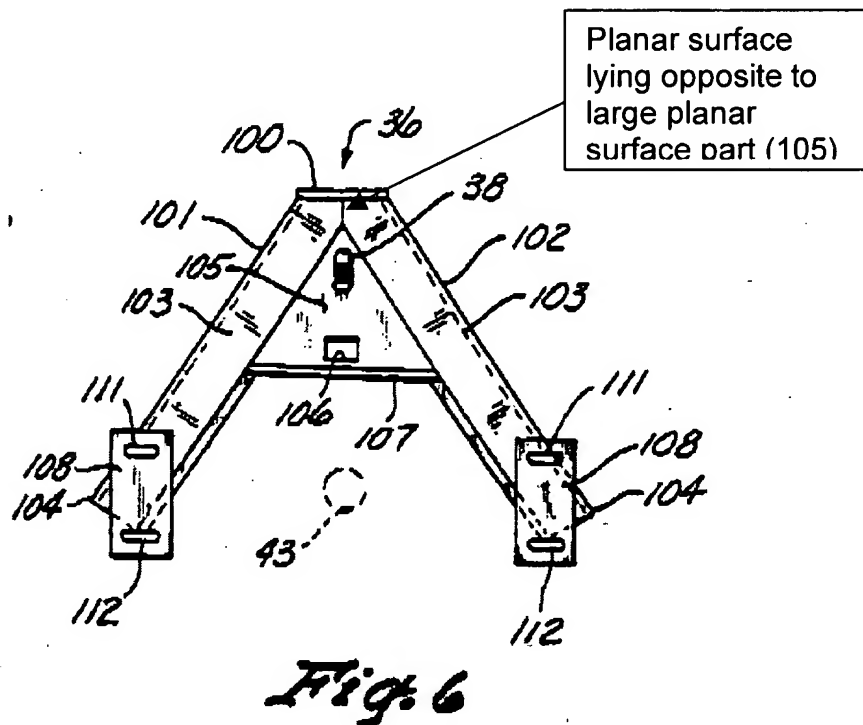
Regarding claim 10, the converging channel walls (101,102) form opposing boundaries (Fig 4) on the substantially planar support surface (105) that forms the bottom of the channel.

Regarding claim 11, the female part (36) has a planar surface part lying opposite to said large planar surface part (105) and converging towards the latter to form said converging internal surfaces together therewith (See Fig 6 below).

Regarding claim 12, the female part comprises two other walls (105 and planar surface lying opposite to 105 – See Fig 6 below) which at least partly restrict the

Art Unit: 3671

channel and extend substantially perpendicularly relative to the firstly mentioned walls and converge towards each other to form said converging internal surfaces.



Regarding claim 13, the female part (36) has an opening intended, to be turned towards the other part during the engagement operation in a direction that is substantially perpendicular to the direction of convergence of this engagement means' converging surfaces to facilitate the insertion of the male part in the female part (See Fig 4).

Regarding claim 14, the female type engagement means is formed from a flanged metal sheet (Fig 4).

Regarding claim 15, the female-type engagement means is arranged on the first part with upwardly converging internal surfaces and the male-type engagement means is arranged on the second part with upwardly converging external surfaces (See Fig 4).

Conclusion


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie L. McGowan whose telephone number is (571)272-5064. The examiner can normally be reached on Monday through Friday 8:00 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on (571)272-6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jamie L. McGowan
December 15, 2006



Thomas B. Will
Supervisory Patent Examiner
Art Unit 3671